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17 Attorneys for Defendants
18 VILLAGE PIZZERIA and CICERO
19 MACIEL

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 CRAIG YATES,

23 CASE NO. CV-10-05404 MEJ
24 Civil Rights

25 PLAINTIFF,

26 V.

27 SECOND STIPULATED REQUEST TO
28 LIFT STAY ON DISCOVERY TO
29 PERMIT DEPOSITION OF LANDLORD'S
30 AGENT; ~~[Proposed]~~ ORDER

31 YEE MEI CHEUNG & FAMILY; YEE
32 MEI CHEUNG; TAT CHEUNG;
33 MACIEL CICERO; LAGHAEI FARID;
34 WAI BING CHEUNG; YOUNG NG
35 YING; VILLAGE PIZZERIA;
36 VILLAGE PIZZERIA, INC.;
37 THIDWICK BOOKS; LEA GREY;
38 PERIOD GEORGE; GIBSON LINES,
39 LLC; DONALD GIBSON; AND DOES
40 1 THROUGH 50, INCLUSIVE,

41 Defendants.

42 _____
43 Plaintiff and the undersigned Defendants (who, thus far,
44 are the only Defendants who have appeared and are remaining in
45 the case) request that the Court partially lift the stay imposed

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Stipulation of Good Cause to Limited Lift of Stay to Depose Landlord's Agent:
47 Case No. CV-10-05404 MEJ

1 by General Order 56 and the Scheduling Order of November 29,
 2 2010 (at CD 6) to permit Plaintiff to notice the depositions of
 3 Steve and Dave Dobson of Millbrae. This is the second such
 4 request. Previously, the Parties obtained an order to depose
 5 agent Vincent Ng of Millbrae, but whom Plaintiff served, but Ng
 6 either did not receive proper service, or did receive proper
 7 and failed to show (Plaintiff's counsel represents that Mr. Ng
 8 uses the same post office box address as the landlord, and
 9 reverse address investigations failed to turn up a new address).

10 The two Dobsons are also the landlords' agent. They do in
 11 fact correspond with tenants concerning the lease, and, on
 12 information and belief, help collects the rent and maintain the
 13 premises. It is believed that they will be able to identify the
 14 whereabouts of the various landlord Defendants for purposes of
 15 affecting formal service of process. Such Defendants are YEE
 16 MEI CHEUNG & FAMILY; YEE MEI CHEUNG; TAT CHEUNG; LAGHAEI FARID;
 17 and WAI BING CHEUNG. Plaintiff's counsel represents that the
 18 only known address for all the Landlord-Defendants is the post
 19 office box listed with the County Assessor, and that service
 20 attempts at all known and suspected addresses have failed.
 21 Defendants further represent they do not have a physical address
 22 for the landlord, but can only identify the foregoing agents.
 23 Plaintiff represents that Messrs. Dobson are not cooperating
 24 with informal attempts to obtain this information.

25 SO STIPULATED.

26 Dated: March 19, 2012

THIMESCH LAW OFFICES
 TIMOTHY S. THIMESCH

27

/s/ Authorized Signed
 28 Attorneys for Plaintiff CRAIG YATES

1 Dated: March 19, 2012

RICHARD L. BECKMAN, ESQ.
BECKMAN MARQUEZ & DOWLING LLP

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3 /s/ Authorized Signed _____
4 Attorneys for Defendants
5 VILLAGE PIZZERIA and CICERO MACIEL
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ORDER

9 SO ORDERED. _____
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DATED: March 20, 2012

12 HON. MARIA-ELENA JAMES
13 MAGISTRATE JUDGE
14 U.S. DISTRICT COURT
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